

Date: November 18, 2013

To: Individuals and Organizations Interested in Participating  
in the Private School Choice Programs (PSCP)

From: Latoya Holiday, Consultant  
Private School Choice Programs

Re: PSCP Student Rights

Attached is a cover letter from State Superintendent Tony Evers, along with a list of student rights, which formerly appeared in the administrative rule governing the Milwaukee Parental Choice Program (MPCP), PI 35, Wis. Admin. Code. The letter contains an acknowledgement at the bottom by the choice administrator that the Department of Public Instruction (DPI) has advised you of Judge Steingass' ruling in 1990 of certain individual rights applicable within MPCP schools. It was agreed to at the Legislature's Joint Committee on Administrative Rules meeting held July 30, 1998, that in exchange for the DPI's removal of the student rights list from the administrative rule, the choice administrator would sign the enclosed letter of acknowledgement.

Please complete the enclosed acknowledgement letter from the state superintendent and return it to the DPI along with your signed Notice of School's Intent to Participate for the 2014-15 school year by February 1, 2014.

If you have questions concerning this letter, please contact me [phone: (608) 266-8066, fax: (608) 267-9207, email: [latoya.holiday@dpi.wi.gov](mailto:latoya.holiday@dpi.wi.gov)].

Enclosures



November 18, 2013

\_\_\_\_\_  
Choice Administrator

\_\_\_\_\_  
School Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State and ZIP Code

Dear Choice Administrator:

Within the case of *Davis v. Grover*, Trial Court Opinion, Dane County (8-6-90), Judge Susan Steingass ruled the attached list of student rights to be applied to private schools participating in the Milwaukee Parental Choice Program (MPCP). The judge also ruled that the Department of Public Instruction (DPI) has an obligation to advise participating schools of these state and federal provisions.

As administrator of the school, please complete the school information above, sign and date the acknowledgment below and return the original to the DPI, ATTN: Latoya Holiday, Private School Choice Programs.

Sincerely,

Tony Evers, PhD  
State Superintendent

TE: lh

I hereby acknowledge I have received and read this letter. This acknowledgment is not to be construed as an agreement between DPI and the school or as an admission that the student rights provisions attached hereto apply to private schools participating in the choice program.

\_\_\_\_\_  
Choice Administrator

\_\_\_\_\_  
Date

## **STUDENT RIGHTS**

1. The Wisconsin Pupil Nondiscrimination Act, s. 118.13, and PI 9, which prohibits discrimination against students on the grounds of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.
2. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq., which prohibits discrimination on the basis of sex in educational programs.
3. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et. seq., which prohibits discrimination on the basis of age in programs or activities.
4. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794 et. seq., which prohibits discrimination on the basis of handicap in programs and activities. To comply with Section 504, the Department of Public Instruction must assure that no qualified handicapped persons are excluded from its programs; and must assure that all handicapped students in funded placements have opportunity for a free appropriate education.
5. The Family Education Rights and Privacy Act, 20 U.S.C. 1232g, 34 CFR 99, which regulates access and release of student educational records.
6. All federal and state constitutional guarantees protecting the rights and liberties of individuals, including freedom of religion, expression, association, against unreasonable search and seizure, equal protection, and due process.
7. All regulations, guidelines, and standards lawfully adopted under the above statutes by the appropriate administrative agency.
8. Pupils charged with misconduct and subject to suspension or expulsion shall be accorded state and federal constitutional due process of law.

Attachment to State Superintendent letter to  
Choice School Administrators